



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3614

Introduced 2/24/2005, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

730 ILCS 125/20

from Ch. 75, par. 120

Amends the County Jail Act. Provides that, with respect to medical and other health care needs of prisoners, providers of goods and services shall be paid at the prevailing rate of reimbursement under the medical assistance program under the Illinois Public Aid Code.

LRB094 06852 AJO 36958 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The County Jail Act is amended by changing
5 Section 20 as follows:

6 (730 ILCS 125/20) (from Ch. 75, par. 120)

7 Sec. 20. Cost and expense; commissary fund.

8 (a) The cost and expense of keeping, maintaining and
9 furnishing the jail of each county, and of keeping and
10 maintaining the prisoner thereof, except as otherwise provided
11 by law, shall be paid from the county treasury, the account
12 therefor being first settled and allowed by the county board.
13 With respect to medical and other health care needs of
14 prisoners, providers of goods and services shall be paid at the
15 prevailing rate of reimbursement under the medical assistance
16 program under Article V of the Illinois Public Aid Code.

17 The county board may require convicted persons confined in
18 its jail to reimburse the county for the expenses incurred by
19 their incarceration to the extent of their ability to pay for
20 such expenses. The warden of the jail shall establish by
21 regulation criteria for a reasonable deduction from money
22 credited to any account of an inmate to defray the costs to the
23 county for an inmate's medical care. The State's Attorney of
24 the county in which such jail is located may, if requested by
25 the County Board, institute civil actions in the circuit court
26 of the county in which the jail is located to recover from such
27 convicted confined persons the expenses incurred by their
28 confinement. The funds recovered shall be paid into the county
29 treasury.

30 (b) When a prisoner is released from the county jail after
31 the completion of his or her sentence and has money credited to
32 his or her account in the commissary fund, the sheriff or a

1 person acting on the authority of the sheriff must mail a check
2 in the amount credited to the prisoner's account to the
3 prisoner's last known address. If after 30 days from the date
4 of mailing of the check, the check is returned undelivered, the
5 sheriff must transmit the amount of the check to the county
6 treasurer for deposit into the commissary fund. Nothing in this
7 subsection (b) constitutes a forfeiture of the prisoner's right
8 to claim the money accredited to his or her account after the
9 30-day period.

10 (Source: P.A. 91-288, eff. 1-1-00.)